

**State of New York**  
**Court of Appeals**

**Decisions**

May 20, 2025

**CASES**

No. 63

Article 13 LLC,  
Respondent,  
Office of the New York State Attorney  
General,  
Intervenor,  
v.  
Ponce De Leon Federal Bank et al.,  
Defendants,  
v.  
Lasalle National Bank Association,  
Appellant.

Certification of questions by the United States Court of Appeals for the Second Circuit, pursuant to section 500.27 of this Court's Rules of Practice, accepted and the issues presented are to be considered after briefing and argument.  
Chief Judge Wilson and Judges Rivera, Garcia, Singas, Cannataro, Troutman and Halligan concur.

No. 65

Czigany Beck, &c.,  
Appellant,  
v.  
Manhattan College,  
Respondent.

Certification of question by the United States Court of Appeals for the Second Circuit, pursuant to section 500.27 of this Court's Rules of Practice, accepted and the issue presented is to be considered after briefing and argument.  
Chief Judge Wilson and Judges Rivera, Garcia, Singas, Cannataro, Troutman and Halligan concur.

No. 64

Neysha Cruz, &c.,  
Appellant,  
v.  
David C. Banks et al.,  
Respondents.

Certification of question by the United States Court of Appeals for the Second Circuit, pursuant to section 500.27 of this Court's Rules of Practice, accepted and the issue presented is to be considered after briefing and argument.  
Chief Judge Wilson and Judges Rivera, Garcia, Singas, Cannataro, Troutman and Halligan concur.

1                    No. 2  
Ezrasons, Inc., &c.,  
    Appellant,  
    v.  
Sir Nigel Rudd, et al.,  
    Respondents,  
Barclays PLC,  
    Nominal Defendant.

Order affirmed, with costs.  
Opinion by Judge Cannataro.  
Judges Rivera, Singas, Troutman, Halligan and  
Landicino concur.  
Chief Judge Wilson dissents in an opinion.  
Judge Garcia took no part.

1                    No. 3  
Rebecca R. Haussmann, &c., et al.,  
    Appellants,  
    v.  
Werner Baumann, et al.,  
    Respondents,  
et al.,  
    Defendants,  
Bayer AG,  
    Nominal Respondent.

Order insofar as appealed from affirmed, with costs,  
in a memorandum.  
Chief Judge Wilson and Judges Rivera, Singas,  
Cannataro, Troutman, Halligan and Landicino  
concur.  
Judge Garcia took no part.

2                    No. 43  
In the Matter of Joshua J.  
  
Westchester County Department of Social  
Services,  
    Respondent;  
Tameka J.,  
    Appellant.  
(And a Related Proceeding.)

Orders affirmed, without costs.  
Opinion by Judge Troutman.  
Judges Garcia, Singas and Cannataro concur.  
Chief Judge Wilson dissents in an opinion, in which  
Judge Halligan concurs.  
Judge Rivera dissents in a separate dissenting  
opinion.

2                    No. 48  
The People &c.,  
    Respondent,  
    v.  
Laquawn Lewis,  
    Appellant.

Order reversed and a new trial ordered.  
Opinion by Judge Rivera.  
Chief Judge Wilson and Judges Troutman and  
Halligan concur.  
Judge Singas dissents and votes to affirm in an  
opinion, in which Judges Garcia and Cannataro  
concur.

## MOTIONS

Mo. No. 2025-137  
252685 St LLC, et al.,  
Respondents,  
v.  
Feifei Gu,  
Appellant,  
et al.,  
Defendant.

On the Court's own motion, appeal transferred, without costs, to the Appellate Division, Second Department, upon the ground that a direct appeal does not lie when questions other than the constitutional validity of a statutory provision are involved (*see* NY Const, art VI, §§ 3 [b] [2], 5 [b]; CPLR 5601 [b] [2]).  
Motion for financial relief dismissed as academic.  
Motion for ancillary relief dismissed upon the ground that this Court does not have jurisdiction to entertain it (*see* NY Const, art VI, § 3).  
Chief Judge Wilson took no part.

3 Mo. No. 2024-653  
In the Matter of Danny Andersen, et al., &c.,  
Appellants,  
v.  
Michael P. Hein, &c.,  
Respondent,  
et al.,  
Respondents.

Motion for leave to appeal granted.

4 Mo. No. 2024-821  
Counsel Financial Holdings LLC,  
Respondent,  
v.  
Sullivan Law, L.L.C., et al.,  
Appellants.

Motion for leave to appeal denied.

2 Mo. No. 2025-5  
The People &c.,  
Respondent,  
v.  
Steven Garrett,  
Appellant.

Motion for leave to appeal denied.  
Motion for financial relief dismissed as academic.

2                    Mo. No. 2024-657  
Shmuel Zvi Genzler,  
    Respondent,  
    v.  
JPMorgan Chase Bank, National Association,  
et al.,  
    Defendants;  
U.S. Bank Trust, N.A., &c.,  
    Nonparty-Appellant.

Motion, insofar as it seeks leave to appeal from so much of the Appellate Division order as affirmed Supreme Court's denial of so much of the motion as sought to intervene, dismissed upon the ground that such portion of the order does not finally determine the action within the meaning of the Constitution; motion for leave to appeal otherwise denied.

3                    Mo. No. 2024-824  
In the Matter of Global Companies LLC,  
    Appellant,  
    v.  
New York State Tax Appeals Tribunal et al.,  
    Respondents.

Motion for leave to appeal denied with one hundred dollars costs and necessary reproduction disbursements.

4                    Mo. No. 2025-32  
In the Matter of Thomas I. Hartung, Jr.,  
    Respondent,  
    v.  
Amanda C. Long,  
    Appellant.  
(And Another Proceeding.)  
(App. Div. Nos. CAF 23-01241 and CAF 23-01242)

Motion for leave to appeal denied.

4                    Mo. No. 2024-840  
In the Matter of Parker J. et al.  
  
Onondaga County Department of Children  
and Family Services,  
    Respondent;  
Beth F.,  
    Appellant.

Motion for leave to appeal granted.  
Motion for financial relief granted.

1                    Mo. No. 2025-4  
JDS Development LLC, &c. et al.,  
    Appellants,  
    v.  
Parkside Construction Builders Corp.,  
    Defendant,  
Allied World Insurance Company,  
    Respondent.

Motion for leave to appeal denied.

2                    Mo. No. 2024-831  
The People &c.,  
    Respondent,  
    v.  
Jonathan Johnson,  
    Appellant.

Motion for leave to appeal denied.

2                    Mo. No. 2025-37  
The People &c.,  
    Respondent,  
    v.  
Jimmy Ly,  
    Appellant.

Motion for leave to appeal denied.

3                    Mo. No. 2024-681  
In the Matter of New York Civil Liberties  
Union,  
    Respondent,  
    v.  
New York State Police,  
    Appellant.

Motion for leave to appeal denied with one hundred  
dollars costs and necessary reproduction  
disbursements.

1                    Mo. No. 2024-662  
Maria Perez,  
    Appellant,  
    v.  
New York City Health and Hospitals  
Corporation, et al.,  
    Respondents.

Motion for leave to appeal dismissed upon the  
ground that the order sought to be appealed from  
does not finally determine the action within the  
meaning of the Constitution.

2 Mo. No. 2024-668  
In the Matter of Kenneth Puig et al.,  
Appellants,  
v.  
City of Middletown, et al.,  
Respondents.

Motion for leave to appeal denied.

1 Mo. No. 2024-834  
In the Matter of E.R., et al., &c.  
  
Donna C.,  
Appellant;  
Administration for Children's Services,  
Respondent.

Motion for leave to appeal denied.

1 Mo. No. 2025-98  
The People &c.,  
Respondent,  
v.  
Robinson Ramirez,  
Appellant.

Motion for leave to appeal denied.

2 Mo. No. 2024-724  
Abdus Shahid,  
Appellant,  
v.  
City of New York et al.,  
Respondents.  
(Index No. 1786/19)

Motion for leave to appeal denied.

2 Mo. No. 2024-725  
Abdus Shahid,  
Appellant,  
v.  
City of New York,  
Respondent.  
(Index No. 2664/19)

Motion for leave to appeal denied.

2 Mo. No. 2024-731  
Abdus Shahid,  
Appellant,  
v.  
City of New York,  
Respondent.  
(Index No. 5/22)

Motion for leave to appeal denied.

4 Mo. No. 2024-733  
In the Matter of the Arbitration between  
Wayne Spence, &c.,  
Petitioner,  
Michelle Laframboise,  
Appellant;  
State University of New York, et al.,  
Respondents.

Motion for leave to appeal denied with one hundred dollars costs and necessary reproduction disbursements.

2 Mo. No. 2024-801  
In the Matter of Eric Taylor et al.,  
Appellants,  
v.  
Town of Ramapo Zoning Board of Appeals et  
al.,  
Respondents;  
John Keeley,  
Nonparty-Respondent.

Motion for leave to appeal denied with one hundred dollars costs and necessary reproduction disbursements.

1 Mo. No. 2024-675  
Micah Umeh,  
Appellant,  
v.  
New York City Health and Hospitals  
Corporation, et al.,  
Defendants,  
Danielle Friedman, &c. et al.,  
Respondents.

Motion for leave to appeal denied with one hundred dollars costs and necessary reproduction disbursements.

3                    SSD 13  
U.S. Bank National Association &c,  
    Appellant,  
    v.  
Dawn Lynch,  
    Respondent,  
Attorney General of the State of New York,  
    Intervenor-Respondent,  
et al.,  
    Defendants.

Appeal dismissed, without costs, by the Court sua sponte, upon the ground that the order appealed from does not finally determine the action within the meaning of the Constitution.

1                    Mo. No. 2025-157  
Cheryl D. Uzamere,  
    Appellant,  
    v.  
Ehigie E. Uzamere, et al.,  
    Respondents.  
(App. Div. No. 2024-06143)

On the Court's own motion, appeal dismissed, without costs, upon the ground that the order appealed from does not finally determine the action within the meaning of the Constitution. Motion for leave to appeal dismissed upon the ground that the order sought to be appealed from does not finally determine the action within the meaning of the Constitution. Motion for financial relief dismissed as academic.

1                    Mo. No. 2025-158  
Cheryl D. Uzamere,  
    Appellant,  
    v.  
Ehigie E. Uzamere, et al.,  
    Respondents.  
(App. Div. No. 2024-06142)

On the Court's own motion, appeal dismissed, without costs, upon the ground that the order appealed from does not finally determine the action within the meaning of the Constitution. Motion for leave to appeal dismissed upon the ground that the order sought to be appealed from does not finally determine the action within the meaning of the Constitution. Motion for financial relief dismissed as academic.

1                    Mo. No. 2025-226  
Patti Van Dyke,  
    Respondent,  
    v.  
U.S. Bank, National Association,  
    Appellant.

Motion for leave to appeal granted.

2                    Mo. No. 2024-797  
Michael Yakubov et al.,  
                        Respondents,  
                        v.  
Mark Gaft,  
                        Appellant,  
et al.,  
                        Defendant.

Motion for leave to appeal denied with one hundred dollars costs and necessary reproduction disbursements.